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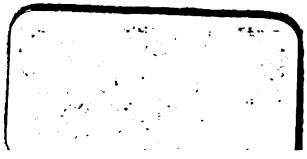

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THE

METROPOLITAN POOR ACT,

1867,

WITH INTRODUCTION, NOTES, COMMENTARY,

AND INDEX.

BY

R. CECIL AUSTIN, Esq.,

BARRISTER-AT-LAW.

LONDON:

BUTTERWORTHS, 7, FLEET STREET,

Law Publishers to the Queen's Most Excellent Majesty.

KNIGHT AND CO., 90, FLEET STREET,

Publishers by Authority to the Poor Law Board.

1867.

Price Two Shillings and Sixpence.

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PREFACE.

I HAVE endeavoured to place before the public, in as brief a form as possible, an annotated edition of the Metropolitan Poor Act, 1867. I have prefaced the Act with a few observations explanatory of the circumstances which led to its introduction, and have appended a Commentary and Index.

I trust that the information thus supplied will be found of practical utility to those who may be interested in the operation of the Statute.

1, DR. JOHNSON'S BUILDINGS,
TEMPLE,
13*th April*, 1867.

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INTRODUCTION.

My object in offering the following brief remarks, by way of preface to the provisions of the Metropolitan Poor Act, 1867, is of a twofold character. I purpose, in the first place, to show by reference to what has preceded the introduction of this measure, that not only are the principles which it enunciates perfectly in harmony with the spirit of the whole course of Poor Law Legislation in modern times, but that also the machinery which is provided for giving effect to the beneficial operation of those principles, is a natural development of the system which has now for many years prevailed generally throughout the country. Secondly, I desire briefly to notice to what extent and in what manner the new measure proposes to deal with the various local authorities and interests existing in the Metropolis prior to its introduction.

Whatever difference of opinion may prevail upon the numerous questions of minor importance which have from time to time arisen in the practical application of the principles upon which the existing Poor Law system is based, it will, I think, be generally conceded that

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those principles do but represent the sincere conviction of the community at large,—a conviction arrived at after a series of many and varied experiments,—that a spirit of humanity and of merciful consideration for the condition of the destitute classes is not only not inconsistent with, but may even be made a valuable auxiliary to the most vigorous efforts for the repression of pauperism. I need hardly refer to the contrast which is in this respect presented on the comparison of the series of legislative enactments that have taken their place in our statute-book since the Poor Law Amendment Act of 1834, with the measures out of which arose the system that prevailed before the passing of that enactment. It is a contrast sufficiently striking to arrest the attention of even the most indifferent, while it has afforded to many an earnest philanthropist reasonable ground for hope in the ultimate perfectibility (so far as is consistent with the fallibility inseparable from all human efforts) of one of the most important of our domestic institutions.

The very limited space which I am compelled to assign to my introductory observations, will not permit of any extended illustration of the contrast to which I have above referred. I therefore content myself with one illustration only, and I select that example, because although it may not perhaps unjustly be considered as foreign from the subject with which the Act I am about to consider proposes to deal, it yet affords a simple and at the same time striking corroboration of the truth I have sought to establish. By the Statute of Elizabeth, which is usually regarded as the first of our long series of Poor Law enactments, the poor were relieved in the parishes in which their destitution arose. In the reign

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of Charles II., however, an unwarrantable innovation was introduced. A system of settlement and removal was established, and this existed in unabated rigour until the present reign. Since the 9th & 10th of Victoria, we have seen a succession of enactments, establishing first a status of irremovability with a parochial residence of five years, then with a residence of three years, and, lastly, with a residence within a Union area of one year.

I return from this digression to my immediate subject. The question of providing fairly and adequately for the wants of the destitute classes of the Metropolis has long been acknowledged as one of peculiar difficulty. A desire on the one hand to avoid unfair pressure upon the poorer ratepayers, and on the other to deal compassionately with those whom misfortune or misconduct has brought to the condition of destitution, has hitherto combined with the glaring inequality in the distribution of the charge of relief to produce one of the most complicated social problems that can possibly engage the attention of the community. Moreover, the question must be considered from another aspect. In the Metropolis, more than in the rural districts of the country, pauperism is subject to the most unequal fluctuations. The unforeseen hardships of an inclement winter, the temporary depression of any particular branch of trade or manufacture, too often supply a cause of destitution in the case of the numerous class whose condition, even under the most favourable circumstances, is but little removed from that of the actual pauper.

To these causes of distress the attention of the Select Committee of the House of Commons, appointed in 1861 to inquire into the operation of the laws for the relief of

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the poor, was first directed. It would be foreign to my purpose to enter fully into the consideration of the conclusions at which the Committee arrived. I desire only to advert to four of the important resolutions embodied in the Report. These are as follows:—

"*Continuance of a Central Authority.*

"That the continuance of a Central Authority is essential for securing the due and uniform administration of the laws for the relief of the poor; and your Committee are of opinion that it would contribute to its efficiency if it were placed upon a permanent footing.

"*Unions and Parishes under Gilbert's Act and Local Acts.*

"Your Committee are of opinion that it is necessary to the uniform action of the Poor Law, that the Central Authority should have the same powers in Unions and parishes now acting under local statutes, or under the Gilbert Act, as in Unions or parishes constituted under the Poor Law Amendment Act.

"*Classification in Workhouses.*

"That it appears to your Committee that in many cases the Union workhouses are insufficient for the purpose of the proper classification of the inmates, and your Committee consider it desirable that greater power should be given to the Central Board than that which they now possess, to require Guardians to make adequate arrangements for such classification.

"*Equalization of the Poor-Rate.*

"That much evidence was adduced, showing the unequal pressure of the charge for the relief of the poor in different parts of the Metropolitan district; and various plans were

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submitted to your Committee for the equalization of the poor-rate; and your Committee recommend the general question of extending the area of rating to the further consideration of the House; but the circumstances of the Metropolis are so peculiar, that in any legislation to extend the area of charge or management, it would be necessary to have regard to those circumstances.

"That any measure for extending the area of rating should, in the opinion of the Committee, embrace provisions for making the whole cost for the poor in each Union chargeable on the common fund of the Union."

Such were the deliberate opinions of the Committee on the most important subjects with which Mr. Hardy's measure is concerned.

I now pass to the period at which commenced the labours of the Lancet Commission.

The object proposed in the appointment of that Commission and the scope of their labours were thus announced and defined:—"It is necessary that public opinion should be fully enlightened and deliberately directed. We propose to supply, as far as we can, the more immediately necessary materials for such a deliberate judgment. We shall appoint Commissioners well acquainted with the details of hospital management, and whose ability and discretion are beyond doubt, who will make it their duty to compare the present system in workhouse hospitals with that which prevails in the public hospitals of the Metropolis. They will not set up too high a standard of comparison, nor will they execute their mission in a spirit of hostility to Guardians or others. It is the system which is blameable. They will endeavour to secure data for suggesting ameliora-

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tions where necessary, and we may be permitted to express the earnest hope that in fulfilling these important duties at a juncture when they will be so obviously useful to the interests of the nation, they will receive the help and countenance not only of the medical officers of Unions, from whom they may naturally look for such support, but from the Union and Poor Law Authorities generally." The Commissioners, who were first appointed in April, 1865, were Mr. Ernest Hart, of St. Mary's Hospital, at whose suggestion the inquiry was set on foot, Dr. Anstie, of Westminster Hospital, and Dr. Carr, of Blackheath.

I cannot enter fully into the consideration of the valuable reports of the Commissioners, and, indeed, such consideration would appear to be, on the whole, unnecessary, seeing that the general effect of the conclusions at which they arrived has already been discussed and approved, and has also been embodied in the suggestions offered by the "Association for the Improvement of the Infirmaries of Workhouses." In a statement, to which are appended the following eminent names—Thomas Watson, M.D., President of the College of Physicians; George Burrows, M.D., President of the General Medical Council; James Clarke, M.D.; William Jenner, M.D.; Edward Sieveking, M.D.; William Fergusson; and James Paget,—the opinion is expressed that any scheme for the improvement of the state of the sick poor in workhouse infirmaries should, in order to be satisfactory, be based upon these principles:—

1. The sick poor should be separated from the able-bodied paupers, and their treatment should be placed under a distinct management.

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2. In lieu of sick-wards annexed to each workhouse, consolidated infirmaries should be provided, where the following rules of hospital management should be adopted, under skilled supervision. They are those generally accepted in this and other European countries:—

"I. The buildings should be especially devised for the purpose of suitable construction, and on healthy sites. The rules laid down by the Barrack and Hospital Commission may be consulted with advantage on this subject.

"II. No less than 1000, and, for particular classes of cases, 1200 to 1500 cubic feet of air should be allowed to each patient.

"III. The nursing should be conducted entirely by a paid staff, and there should be not less than one day nurse, one night nurse, and one assistant nurse for each fifty patients.

"IV. There should be resident medical officers in the proportion of not less than one for each 250 patients.

"V. The medical officers should not have any pecuniary interest whatever in the medicines supplied, nor should they be charged with the duty of dispensing them.

"VI. A judicious classification of patients should be strictly observed,—the epileptic and imbecile, the acutely sick, and the aged and infirm, being treated in separate wards.

"VII. The aged and infirm, the chronically sick, and the convalescent should be provided with day-rooms separate from the dormitories."

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The results of the investigations of the 'Lancet' Commission were such as fully justified official action, and accordingly, in April, 1866, Mr. Farnall and Dr. Edward Smith, Poor Law Inspectors, were instructed to inquire into the existing arrangements of the Infirmary Wards of the several Metropolitan Workhouses. Although, in matters of detail, the reports furnished by these gentlemen recorded differences of opinion, in one important conclusion they were both agreed, and that was, the inadequacy of the existing workhouse accommodation, and of the infirmary arrangements for the effectual treatment of the sick poor. After a careful statement of his reasons for this conclusion, Mr. Farnall proceeds as follows :—

"I am of opinion that your Board should have power to order sufficient sick wards to be built for the poor, and to be paid for out of the rates of the Metropolitan district, and that you should also have power to establish and maintain in such sick wards, and out of the rates, a sufficient staff of medical officers and trained nurses, together with such drugs and medical appliances as you may consider necessary, without the consent of the Guardians of the poor.

"I think that hospitals should be built wholly apart from the metropolitan workhouses, for the reception of the sick poor, and that the cost of building and of maintaining these hospitals, and of supporting the sick poor in them, should be defrayed by a common rating of the Metropolis, based on its rateable value; for I am sure, in the first place, that the present pressure of the rates is intolerably unequal; and I am also sure, as I have already said, that no ingenuity or contrivances can

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render the majority of the present sick wards in any way equal to the just requirements of sound medical science."

The subject was now considered ripe for legislative interference. Accordingly, in the Queen's Speech on the opening of Parliament, it was said :—

"Measures will be submitted to you for improving the management of sick and other poor in the Metropolis, and for a redistribution of some of the charges for relief therein."

In speedy fulfilment of this promise, Mr. Gathorne Hardy obtained leave, on Friday, February 8th, 1867, to introduce into the House of Commons the measure by which he proposed to give effect to the reforms which had been deemed necessary for the effectual administration of the laws for the relief of the poor within the Metropolitan district. The speech in which Mr. Hardy explained to the House the scope of his Bill was remarkable for its plain, perspicuous statement of the principles upon which the right honourable gentleman had proceeded in the preparation of the measure.

After briefly noticing the labours of the Select Committee of the House of Commons, to which I have before alluded, Mr. Hardy mentioned the case of the unfortunate Timothy Daly, which occurred in the workhouse of the Holborn Union, as having first directed attention to the treatment of the sick in the Metropolitan infirmaries. He went on to state :—

"That was followed by the case of a man named Gibson, in St. Giles's Workhouse, in 1865. In April of the same year, a letter was written by one of the nurses in the Rotherhithe Workhouse, calling attention to circumstances there; and, finally, in 1866, the same nurse called attention

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to the state of the Strand Union Workhouse, where she had lately been engaged. Inquiries with regard to the cases of Daly and Gibson took place, and in 1865 the Guardians of Rotherhithe instituted an inquiry. No steps were taken at that time, but in 1866 an inquiry took place into the transactions at Rotherhithe, at which Mr. Farnall presided. Reports were made in all those cases extremely adverse to the management of the sick, causing a great sensation throughout the country. Indeed, they caused perhaps more sensation than was justified by the circumstances; for when it is considered that there are no less than thirty-nine workhouses in the Metropolis, containing from 25,000 to 30,000 persons, it strikes one as not excessive that there should be in four cases certain instances of great hardship and great wrong. Many circumstances connected with those cases were such as to show the necessity for interference. From these cases great blame was thrown, not only on the Guardians of those workhouses, but generally throughout the whole Metropolis. The position which the Guardian holds, an unpaid office, is one of great difficulty. He has to stand between the poor and the ratepayer. He is continually pressed on one side or the other; he is, and particularly in London, watched by the press; and after a case of this kind, from the excessive scrutiny, he probably becomes more fearful of acting on his own responsibility than if left more alone."

The right honourable gentleman then referred to the appointment of the 'Lancet' Commission, and to the published results of their investigations, and also to the reports of Mr. Farnall and Dr. Edward Smith. He then remarked that—

"In all these reports one thing was particularly clear, namely, that the infirmaries were overcrowded, that the

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nursing was defective, that the ventilation and appliances were insufficient, and, in fact, that great reform was needed in the sick-wards, and, it would appear, generally throughout the workhouses. My attention was called to cases in which it was stated great negligence, cruelty, and hardship had occurred to individuals in these workhouses. My first duty was to mitigate the evils which then existed; but I stated that I felt certain the time must come when I must ask the House for power to remedy evils which could not be dealt with by the powers I possessed. It has been asked in many quarters why I did not put in force the compulsory powers which belong to the Board. I may state first, in reply, that there has not, in my opinion, arisen any occasion to enforce those powers, because everything has been done which I have asked, or has been in the course of doing; and because there are so many difficulties in connection with the appointment of resident medical officers, which would make it impossible to proceed by the cumbrous mode of going to the courts for a *mandamus* to compel Guardians to do something which, from some technical difficulties, might fall through. No doubt the Poor Law Board does possess powers; but as the time was approaching when I could increase and define those powers, I thought it better not to engage in contests in which I might get the worst of the fight, more especially as the Guardians in the Metropolitan workhouses were generally endeavouring to carry out the suggestions placed before them. The two Inspectors then charged with the care of the Metropolitan districts, Mr. Corbett and Dr. Markham, were engaged night and day in visiting the workhouses, consulting the Guardians, and endeavouring by firmness and conciliation to obtain the remedies which would mitigate the evils, and at the same time in obtaining the information which would enable us permanently to

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legislate on this important subject. A gentleman who has devoted much attention to the condition of the Infirmaries of the Metropolitan Workhouses, Mr. Ernest Hart, wrote a letter a short time since to the public papers, describing what has been done in this way. He stated that ventilation has been improved, great numbers of paid nurses have been appointed, and more medical officers have been employed. With these preliminary remarks, the permanent arrangements proposed for the Metropolis may now be stated. Dr. Markham having been appointed as a skilled physician, well acquainted with hospital treatment and with the working of infirmaries, his inquiries were at once directed to the state of the workhouse infirmaries throughout London, and to the necessary requirements for them. It being necessary to determine authoritatively the amount of cubical space required in these infirmaries, an inquiry into the subject was directed, and a committee was appointed, amongst whom were Sir Thomas Watson, President of the College of Physicians; Dr. Acland, of Oxford; Dr. Simpson; and Mr. Charles Hawkins. Those gentlemen visited the sick-wards day and night, tested the state of the atmosphere, and upon that founded the opinion to which they have come. They did not treat the matter simply as a question of theory, but went fully into the subject of the kind of diseases which were prevalent in workhouses, calling attention to the policy of removing certain classes of sickness, like fever and small-pox, from these infirmaries altogether. The removal of these cases will make the greatest possible difference in the treatment of the subject. There are practically no surgical cases in workhouse infirmaries. However overcrowded these workhouses may have been, it is remarkable there are no cases of those diseases which are known to result from overcrowding. With respect to women confined in these workhouses, it had attracted attention, both at home and

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abroad, how few deaths had occurred in comparison with the number of women brought to bed there, and how few cases there are of puerperal fever, which decimates hospitals in France. The deaths in the hospitals here, and even in the lying-in hospitals in London, are more numerous than in the workhouses. Sir Thomas Watson and his colleagues say in their report that the problem to be solved is the amount of floor and cubic space which shall not be too little for the requirements of health on the one hand, nor too onerous to the ratepayers on the other. The conclusions they come to, assuming that the smallpox and fever patients are removed to separate wards, are, that for the sick inmates there shall be 850 cubical feet, not counting any height above 12 feet, which is deemed to be sufficient; that in what should be called separation wards—foul wards not being a proper name—for offensive complaints, there should be 1200 cubical feet; in the infirm, with day wards, 500 cubical feet; in the surgical wards, 850 cubical feet; and in the lying-in wards, 1200 cubical feet. For general wards they consider 300 cubical feet sufficient, while for fever and smallpox cases, removed into separate wards, they consider that 2000 feet should be provided. With respect to the great point of ventilation, it is stated, on authority which cannot be doubted, that it is idle to obtain space if you do not improve the ventilation. In the Appendix to the Report great attention is paid to that subject, and to the mode of carrying it out. At the Hospital Lavoisier, in France, 1200 cubic feet were allowed for each fever inmate, but, from defects in the ventilation, the results were worse than in the old infirmary at Leeds. This space being demanded and accepted by me as the data on which I am bound to proceed, the question is, how is this to be obtained? We have in the workhouses of the Metropolis, excluding Richmond and Croydon, which have been impro-

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perly included in the Metropolitan district, 26,240 persons. Of temporarily disabled there are 7046; old and infirm, 13,685; able-bodied, 2,899; children above two years, 2150; infants under that age, 1015. Of these, 1977 are imbeciles, really and entirely a distinct class. It is remarkable that there have been in the workhouses one year and upwards 4783 persons over 70 years of age, 3812 between 75 and 80, 903 between 80 and 90; of these, 1352 have been in the houses between five and ten years, and 857 above ten years. There is one man about 100 years old, with every appearance of living some time longer. How am I to get room for these? I propose that the imbeciles shall be removed to separate establishments, and that the children shall go to separate schools. Still there is a considerable deficiency of space. I have to provide for about 34,000 persons, including children; and this must be done to a great extent by additional buildings. This was the original intention of those who passed the Poor-Law Act, as is shown by the resolution of the House passed before the formation of the present Unions, and by a report of the Commissioners in 1834, to which Mr. Edwin Chadwick has recently called attention in 'Frazer's Magazine.' They never meant to have large workhouses, but separate workhouses of different classes. But in carrying out their intention they seem to have come to a different conclusion. At the same time they said the central Board should be empowered to cause any number of parishes to be incorporated, and to assign to the workhouses separate classes of poor; that the requisite classification and superintendence can be better secured in separate buildings, and each class have separate and suitable treatment. That principle was carried out in district schools, under the 7th & 8th Victoria, cap. 101. In 1841, Lord John Russell, with Mr. Baring and Mr. Labouchere, introduced a Bill on the same plan. The main object is to

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classify the inmates. I propose, first, to have buildings for 2000 lunatics and imbeciles; being supported in this by the Lunacy Commissioners' Twelfth Report, in 1859, which had a supplement entirely devoted to this question, treating as absolutely necessary the removal of lunatics and imbeciles to auxiliary asylums under management of Union medical officers—asylums intermediate between workhouses and the principal asylums. I propose also to have separate hospitals for fever and smallpox, to accommodate 700 or 800 patients. I hope the time will come when vaccination and sanitary measures together will reduce these cases to a minimum, so that such hospitals may be dispensed with. But it is most material at present, both to the health of the Metropolis and for the proper treatment of the patients, to provide them. Most of the Metropolitan workhouses have schools; and no doubt the Guardians will feel that the children should be removed to the schools, which the Inspectors say are conducted on an admirable system. Some of them—Stepney, at least—not only give industrial training, but fill the regimental bands. More excellent training cannot be found in any part of the Metropolis. At least twenty-four of the existing workhouses can be easily and satisfactorily adapted to all classes, with the distinct requisite, which I make peremptory and absolute, that the sick, who are, as a class, not proper objects of the workhouse system, shall be placed in infirmaries absolutely separate, and under management entirely distinct from the workhouses. In the case of these workhouses, and also of those combined into districts, I propose to use workhouses for different departments of the sick; and, with a view to more complete inspection and control, to appoint managers living in the Unions, nominees of the Poor-Law Board, on each Board of Guardians, who shall never exceed one-third of the whole Board. These should be persons taking a deep

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interest in the matter, not in any way paid, and able to give constant inspection and attention to the management of the workhouses. In other parts of the country, justices of the peace take part; and if justices of the peace resident in London be eligible, though not justices of the particular county, they should be allowed to act. It will be asked, Why not have large hospitals? There are several reasons—such as the great expense and throwing away of material at present existing in the workhouses; the objection that special diseases arise in large hospitals, which are unknown gin small workhouse hospitals; and the importance of makin the infirmaries readily accessible to the districts. It was desirable to ensure medical officers, separate matrons and nurses. Trained nurses, as Miss Nightingale informed the Committee, cannot be had, and they must be trained in the workhouse hospitals. This can be done, and many inmates of kind disposition and ready to nurse will be glad of such an opening towards making a good living.

"It is further proposed that the Poor Law Board shall have power to establish medical schools in connection with these hospitals. Then there is the question, can anything be done to prevent so many sick persons coming into the workhouses? I have to acknowledge the assistance given by Mr. Lambert, who, after completing his laborious statistics, went at my request, during a vacation, to examine the dispensary system in Ireland. He reported, and the report will be in the hands of the House in a day or two. On the basis of that report, it is proposed to establish a system in London. A great deal of pauperism begins with sickness. That is a most unsatisfactory system under which, a child going to a medical officer to report a case of sickness, the doctor, taking the child's description of the malady, fills a bottle with medicine, and sends it upon mere guess. In many cases I have had to remove a medical officer for neg-

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lecting for many days to see patients to whom he sent medicine. A case occurred not long ago in which a child described certain pains, and medicine was sent; and when the patient died next day, it was of an entirely different complaint from that the medicine was sent for. When disastrous consequences are not heard of, one is apt to imagine that the medicines are of a very harmless kind. The proposal is that dispensaries shall be established in different districts of the Metropolis; and in all cases the medical man shall give a prescription, as is done in Paris and throughout Ireland. Irish members will testify that nothing has ever answered better than the medical system in force in Ireland. It has stopped an immense amount of sickness. It is proposed to adopt it here, with certain checks which are not used in Ireland. As Dr. Rodgers, medical officer of the Strand Union, has suggested, the drugs will be supplied by the Unions; and thus a great temptation will be removed from the medical man, and the drugs can be obtained of the best quality. Mr. Lambert says the system ensures proper administration of medicines and facilities for vaccination, as well as medical relief generally, and provides an organization always ready to meet any outbreak of epidemic disease, and which is at the same time calculated to prevent, by early treatment, diseases from becoming epidemic. He adds, that the preservation of a record of treatment and prescriptions in every case affords a test both of the skill and attention of the medical officers, and the mode in which medicines are provided prevents that conflict between interest and duty which must arise when the medical officer is required to provide them out of his salary. By this measure, therefore, the Poor Law Board should have power to deal with the contracts existing with medical officers, so as to treat them fairly. To another provision of this Bill the attention of the House was called by a report

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of a Committee which sat in 1864, that is doing away with the Local Acts of the Metropolis as far as the poor are concerned. It will be proposed that all the districts of the Metropolis should alike be brought under the powers of the Poor Law Board. At present there is only a nominal audit, which is worthless in some cases. As to the rates, I am prepared to suggest a good deal, not towards equalizing, but towards distributing many of the charges which at present are made on separate places. It is true, the Metropolis is, in one sense, one altogether, but no place in the world has more varied interests, or is more thoroughly divided into portions. If you equalize the rates, you must provide central management and have paid management, and there would cease to be the interest necessary to put a proper check upon the expenditure. You would rather increase the rates. I do not say the expenditure is in all cases sufficient, but would not go into the question. Another difficulty is the question of uniformity of assessment. The rateable value of the Metropolis is put at fifteen millions, but with regard to nine or ten millions we have no means of knowing whether it is properly ascertained. The Union Chargeability Bill got rid of many difficulties in the City. The City of London is now equally assessed, though no doubt it pays a moderate sum in proportion to its great wealth as compared with surrounding districts. The time has not come to inquire into the working of the Houseless Poor Act, which threw the expense on the common fund; but though it trebled the number who applied to the casual wards, the estimated charge for relief of one-eighth of a penny has not been exceeded. A petition received from Whitechapel curiously coincides with the provisions of the proposed Bill. As it suggests, amongst other things, the expenses of lunatics will be charged to a common fund. In counties, buildings for lunatics are provided by the counties

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at large, and there should be no objection to charging them in the Metropolis to a common fund. Besides, this is one of those items which cannot be jobbed. You cannot make lunatics for a purpose. The salaries of medical officers and dispensers should be charged upon a common fund of the Metropolis; and the Poor Law Board, which has some check upon all other officers engaged in the administration of relief, would retain undivided power. In many cases the poor have long distances to go for relief, and when they are crowded together in one place they have to wait so long that their sickness and infirmity are increased. As to the next items to be charged to a common fund, the House desires to make vaccination as general as possible, and smallpox cannot be traded upon. Then as to schools, the district and certified schools, and those under the inspection of the Poor Law Board, are working admirably as separate schools; and it will be proposed that all the districts shall have separate schools, the buildings being provided by the districts, and the children maintained out of the common fund. The City of London Union is considered the richest in the Metropolis. What will be the effect upon it of these additional charges? It will increase its rates about 3¾*d.* in the pound; and it will relieve, to take an extreme case, St. George's, Southwark, which now pays 3*s.*, of 1*s.* As a rate of one penny in the pound raises £6000, by such a rate we get something under £60,000; so that these improvements will be cheaply purchased. A receiver will be appointed under the Poor Law Board, who will give proper securities, and pay the money into the Bank of England. What would be the cost of the building required? The asylums must not be looked upon as curative asylums, but incurable patients may be transferred to them from asylums at present overcrowded. Calculating £50 per head for 2000 lunatics, we get £100,000. There

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will then be 2000 sick, or possibly more, to be provided for, which, at the rate of £60 per head for infirmaries, will be £120,000. There would be additional school buildings, which may be estimated, say, at from £50,000 to £70,000; and there would be fever and smallpox hospitals, which would cost about the same amount. That would be about £360,000; but say £400,000, which would be the limit, and may be paid off at so much a year—£40,000 the first year, and then by smaller sums. These charges, however, cannot come all at once, and there will be what is equivalent to two-thirds of a penny on the common fund. The House will be asked to give the Poor Law Board that which they gave the Commissioners in Ireland, power to appoint proper officers, if the Guardians would not do so. It will be very unlikely to come into operation, for if the Guardians know we have the power, they will appoint proper officers themselves. There will be power given by this Bill to the Poor Law Board, in case of exceptional distress, such as an outbreak of cholera, to levy a rate not exceeding one penny in the pound, so that £60,000 would be at the disposal of the central authority for relief. That is only a suggestion; but in that way, you would meet some of the evils which really exist, without going into the question of equalizing the poor rates, which would produce greater evils. This is a measure which can excite no party feeling. We have but one view—the benefit of this Metropolis; and the assistance of the House is asked in perfecting this measure; but members are warned not to attempt too much, lest they should, in grasping at a shadow, lose the substance offered to them in this Bill.

"Mr. Ayrton expressed the satisfaction which he felt that the right hon. gentleman had applied himself to the consideration of the important subject which he had brought before them, and which had been too long pending in the

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House. The Bill was a tentative measure, and if successful it would prepare the way for a further extension of the system which it was intended to initiate.

"Viscount ENFIELD tendered his thanks to Mr. Hardy for the character and manner of his statement; and, after a few remarks in support of the measure from Mr. BRADY, Mr. J. LOCKE, and Mr. Alderman LUSK, leave was given to bring in the Bill."

It now becomes my duty to consider to what extent and in what manner the Act deals with the powers of the Local Authorities by whom, before its passing, the relief of the poor was administered under the provisions of local Acts, exempting them, in many important particulars, from the operation of the general Poor Law.

The Metropolitan parishes in which exceptional legislation had constituted governing bodies independent to a great extent of the control of the central authority, may be seen in the Table on the following page.

From this Table also it will be seen that in every case but that of St. James, Clerkenwell, the local body entrusted with the management of the poor has hitherto been elected by the Vestry.

In several cases, also, the functions of the Guardians or Directors have been so curiously complicated with those of the Vestry, that it has been found difficult to define accurately the responsibilities of the former body, and from this conflict of duties and powers it has resulted that, in several instances, the Local Boards have been enabled successfully to evade compliance with the requirements of the central authority. It is now sought to remedy this evil. Henceforth, the intermediate election of the Vestry will be abolished, and instead

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	Name of Parish.	Title of Local Act.
1	St. James, Clerkenwell	15 Geo. III. c. xxiii.
2	St. George, Hanover Square	7 Geo. IV. c. cxxi.
3	St. Giles and St. George, Bloomsbury .	11 Geo. IV. c. x.
4	St. Mary, Islington	5 Geo. IV. c. cxxv.
5	St. James, Westminster	2 Geo. III. c. clviii.
6	St. Luke	48 Geo. III. c. xcvii.
7	St. Margaret and St. John, Westminster	25 Geo. II. c. xxiii.
8	St. Marylebone	35 Geo. III. c. lxxiii.
9	St. Mary, Newington	54 Geo. III. c. cxiii.
10	St. Pancras	59 Geo. III. c. xxxix.

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Style of Governing Body.	In what way qualified.	In what way elected.
Guardians or Governors of the Poor.	By being rated at £20 annually, or being possessed of a real or personal estate to the value of £500.	To be elected by the inhabitant ratepayers.
Governors and Directors of the Poor.	By being resident householders.	To be elected yearly by the Vestry.
Directors of the Poor.	[The same qualification as that of Vestrymen.]	To be elected by the Vestry.
Trustees	By being rated at £30 per annum.	To be elected every third year by the Vestry.
Governors and Directors of the Poor.	[The same qualification as that of Vestrymen.] Or by being resident Justices of the Peace or other creditable inhabitants.	To be elected annually by the Vestry.
Guardians of the Poor.	[The same qualification as that of Vestrymen.]	To be elected by the Vestry.
Governors and Directors of the Poor.	By being substantial and discreet residents.	To be elected annually by the Vestry.
Directors and Guardians of the Poor.	By being substantial and discreet persons.	To be elected annually by the Vestry.
Governors and Guardians of the Poor.	By the tenancy of property assessed at £30, and the possession of property of £50 yearly value, or the possession of clear personal estate to the amount of £1000.	To be elected by the Vestry.
Directors of the Poor	[The same qualification as that of Vestrymen.]	To be elected annually by the Vestry.

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will be substituted the system of direct election by the ratepayers, in accordance with the provisions of the general Poor Law. By this change, the Metropolitan Guardian will be immediately responsible to the ratepayers of the particular district of which he may be the chosen representative, instead of, as heretofore, to an intermediate body. It should also be added, that the rating authorities constituted under the Local Acts will continue to exercise the powers conferred upon them by those Acts, but will, at the same time, as regards liability to payment of contributions for the relief of the poor, be regarded as overseers of the poor under the general Poor Law Acts.

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ANNO TRICESIMO

VICTORIÆ REGINÆ.

CAP. VI.

AN ACT FOR THE ESTABLISHMENT IN THE METROPOLIS OF ASYLUMS FOR THE SICK, INSANE, AND OTHER CLASSES OF THE POOR, AND OF DISPENSARIES; AND FOR THE DISTRIBUTION OVER THE METROPOLIS OF PORTIONS OF THE CHARGE FOR POOR RELIEF; AND FOR OTHER PURPOSES RELATING TO POOR RELIEF IN THE METROPOLIS.

29th March, 1867.

BE it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

Preliminary.

1. This Act may be cited as The Metropolitan Poor Act, 1867. Short Title.

2. In this Act—

The term "the Poor Law Acts" means the Act of the Session of the Fourth and Fifth Interpretation of Terms.

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Years of King *William* the Fourth (Chapter Seventy-six), "for the Amendment and better Administration of the Laws relating to the Poor in *England* and *Wales*," and the Acts extending or amending the same:

The term "the Poor Law Amendment Act of 1844" means the Act of the Session of the Seventh and Eighth Years of Her Majesty's Reign (Chapter One Hundred and one) "for the further Amendment of the Laws relating to the Poor in *England*."

Words in this Act have the same meaning as in the Poor Law Acts.

Limitation of Act to the Metropolis.

3. This Act extends only to Unions and Parishes not in Union, which are wholly or for the greater part thereof respectively included in the Metropolis as defined by the Metropolis Management Act, 1855;[1] and in this Act the term "the Metropolis" means the Metropolis as so defined.

Orders of Poor Law Board.

4. Any order of the Poor Law Board under this Act shall not be deemed a general order within the operation of the Poor Law Acts, although addressed to more than one Union or Parish.[2]

District Asylums.

Asylums to be provided.

5. Asylums to be supported and managed according to the provisions of this Act may be provided under this Act for reception and relief of the

[1] The definition of "the Metropolis" supplied by section 250 of the 18 & 19 Vict. c. 120 is as follows:—"'The Metropolis' shall be deemed to include the City of London and the parishes and places mentioned in the Schedules (A), (B), and (C), to this Act."

[2] See 10 & 11 Vict. c. 109, s. 15.

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sick, insane, or infirm, or other class or classes of the Poor chargeable in Unions and Parishes in the Metropolis (and in this Act the term "Asylum" means an Asylum provided under this Act).

Formation of Districts.

6. In order to the provision of Asylums, the Poor Law Board may from time to time by order combine into Districts, Unions or Parishes, or Unions and Parishes, in the Metropolis, as they think fit, and may from time to time alter any such District by addition, subdivision, separation of part or otherwise (and in this Act the term "the District" means, in relation to each Asylum, the District for which that Asylum is for the time being provided).

Number of Asylums.

7. For each District there shall be an Asylum or Asylums, as the Poor Law Board from time to time by order direct.

Managers of Asylums.

8. For the Asylum or Asylums of each District there shall be a Body of Managers constituted as in this Act provided, which Managers and their successors are hereby incorporated by the name of the Managers of the Asylum District, and by that name shall be one body corporate, with perpetual succession and a common seal, and with power, subject and according to the orders of the Poor Law Board, to take, hold, and dispose of lands and other property for purposes of the Asylum District (and in this Act the term "the Managers" means, in relation to each Asylum District, the Managers thereof for the time being).

Constitution of Managers.

9. The Managers shall (subject to the provisions of this Act) be partly elective and partly nominated.

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Election of Managers.

10. Elective Managers shall be from time to time elected by the Guardians of each of the several Unions and Parishes forming the District from among themselves, or from among Ratepayers qualified to be Guardians therein,[1] or partly from one and partly from the other.

Nomination of Managers.

11. Nominated Managers shall be from time to time nominated by the Poor Law Board from among Justices of the Peace for any County or Place resident in the District, or from among Ratepayers resident in the District and assessed to the Poor Rate therein on an annual rateable value of not less than forty pounds, or partly from one and partly from the other.

Number, Qualifications, etc. of Managers.

12. The Poor Law Board shall from time to time by order prescribe the total number of the Managers, and the proportion of the elective and nominated Managers (but so that the prescribed number of the Nominated Managers do not ever exceed one-third of the prescribed number of the Elective Managers), the number of Elective Managers to be elected for each Union or Parish in the District, the qualifications of the Managers, their tenure of office, the mode and times of election, and the quorum for their meetings.

Validity of

13. Any act or proceeding of the Managers shall

[1] The qualification for the office of elected Guardian under the Poor Law Acts consists in being rated to the Poor Rate on a rental or annual value not exceeding £40, and fixed in each case by the order of the Poor Law Board. (See 4 & 5 Wm. IV. c. 76, s. 38.) This section as originally framed required the Ratepayers eligible for the office of Managers "to be assessed to the Poor Rate on an annual rateable value of not less than one hundred pounds."

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not be invalid by reason only of any vacancy in their body, or by reason only of any failure to elect or nominate or any defect or irregularity in or about the election or nomination of any person to be Manager, or by reason only of the want of qualification or disqualification of any person acting as Manager; and the Managers shall be deemed lawfully constituted, and shall act, notwithstanding any such vacancy, failure, defect, irregularity, want of qualification, or disqualification.

Acts of Managers notwithstanding Vacancies.

14. The provisions of the Poor Law Acts imposing penalties on Guardians and their Officers if concerned for their own profit in providing or in any contract for the supplying of anything for the use of Workhouses or otherwise for the support or maintenance of the Poor, and all remedies for recovery of such penalties, shall extend and apply to the Managers and their Officers.[1]

Prohibition against Managers being concerned in Contracts.

15. The Poor Law Board may from time to time by order direct the Managers to purchase or hire, or to build, and (in either case) to fit up a building or buildings for the Asylum, of such nature and size, and according to such plan, and in such manner, as the Poor Law Board think fit, and the Managers shall carry such directions into execution.

Building for Asylum.

16. The Managers shall have for the purposes of the Asylum the like powers as are for the time

As to the purchase or hiring of lands, etc. by Managers.

[1] See 55 Geo. III. c. 137, s. 6; 4 & 5 Wm. IV. c. 76, ss. 51, 77. See also *Woolley* v. *Kay*, 25 L. J. (N. S.), Exch. 351; *Le Feuvre* v. *Lankaster*, 23 L. J. (N. S.), Q. B. 254; *Greenhow* v. *Parker*, 31 L. J. (N. S.), M. C. 22; 26 J. P. 24; and *West* v. *Andrews*, 5 B. & Ald. 328.

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being vested in Guardians of Unions or Parishes in the Metropolis relative to the purchase or hiring of lands or buildings; but the consent of any Ratepayers or Owners of property in a Union or Parish shall not be necessary with respect to any sale, lease, or other disposition of any workhouse, building, or land by Guardians or Overseers to the Managers.

Power to borrow Money for purposes herein named.

17. The Managers may borrow money for purchasing lands or buildings, and for building, fitting up, and furnishing buildings erected or hired for the Asylum, according to the provisions of the Poor Law Acts under which Guardians are for the time being empowered to borrow money, and may charge the Poor Rates of the Unions and Parishes forming the District with the money so borrowed, and interest, subject and according to the following provisions:

(1.) The amount borrowed shall not exceed one-third of the aggregate annual expenditure on the relief of the Poor within the whole District (exclusive of reimbursements) for the period of three years ending on the twenty-fifth day of *March* next preceding the borrowing of the money:

(2.) The amount borrowed shall be charged on the Poor Rates of the several Unions and Parishes forming the District in the proportions in which they contribute to the maintenance of the Asylum:

(3.) The amount borrowed shall be paid off, with interest, by equal annual instalments not exceeding twenty.

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Adaptation of existing Workhouses for Asylums

18. The Poor Law Board may by order direct that any building for the time being in use as a Workhouse be, with such alterations as the Poor Law Board think fit, used for the Asylum, and thenceforth that building shall be for the common use of the District accordingly; and an annual sum in the nature of rent or other compensation of such amount as the Poor Law Board from time to time direct shall be paid to the Guardians of the Union or Parish to which such building belongs, as long as the same continues to be so used.

Reimbursement to Managers of Expenditure.

19. If in any such case the Managers expend any money in the improvement or enlargement of the building, or the providing of substantial fittings therein, and afterwards relinquish the use thereof, the Poor Law Board may, if they think fit, make an adjustment in respect of that Expenditure between the Owners of the Building and the Managers, and direct such Amount as they think equitable to be reimbursed to the Managers by the owners of the building, to be paid at once or by instalments as the Poor Law Board direct.

Furniture, etc. for Asylum.

20. The Managers shall from time to time provide for the Asylum necessary fixtures, furniture, and conveniences, and such as the Poor Law Board from time to time by order direct.

Mode of Admission into Asylum.

21. The mode of admission of persons into the Asylum shall be such as the Poor Law Board from time to time by order direct.

Powers and Duties of Managers in respect of Inmates.

22. The Managers shall have the like powers as Guardians for the relief, maintenance, and management of the inmates of the Asylum, and shall

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from time to time provide such medicines, appliances, and requisites for the medical and surgical care and treatment of the inmates, and cause the same to be furnished and used according to such rules, as the Poor Law Board from time to time by order direct.

Application of Parts of 7 & 8 Vict. c. 101 as herein named.

23. The following provisions of the Poor Law Amendment Act of 1844 shall extend to the Asylum as if it were an Asylum under that Act or a Workhouse, and as if the Managers were a District Board under that Act, that is to say,—

So much of Section Forty-three as relates to Rules of the Poor Law Board for Government of the Asylum or its inmates, and to religious assistance and instruction:

Sections Fifty, Fifty-four, Fifty-seven, and Fifty-nine.

Chargeability, etc. of Inmates.

24. With reference to chargeability, burial, and other incidents, the Asylum shall in relation to each inmate thereof be deemed to be in the Union or Parish from which such inmate is sent; but births and deaths in the Asylum shall be registered by the Registrar in whose District the Asylum is situate.

Appointment, etc. of paid Officers.

25. The Managers shall have the like powers as Guardians for the appointment, control, and payment of paid Officers of the Asylum, and the Grant of Superannuation Allowances to them.[1]

The duties, number, and salaries of the paid Officers, and the securities to be given by them,

[1] See 4 & 5 Wm. IV. c. 76; 27 & 28 Vict. c. 42; 29 & 30 Vict. c. 113.

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shall be such as the Poor Law Board may from time to time approve or by order direct.

Enforcement of Orders of Managers.

26. Legal and reasonable orders of the Managers shall be obeyed, and obedience thereto shall be enforced, in like manner and by and under like remedies and penalties as legal and reasonable orders of Guardians.[1]

Committees of Managers.

27. The Managers may from time to time, subject and according to such regulations as the Poor Law Board from time to time by order prescribe, appoint Committees of members of their body, and delegate to them any of the powers of the Managers.

Orders of Poor Law Board as to Managers.

28. The Managers shall, in the exercise and discharge of all their powers and duties, be subject to orders of the Poor Law Board in like manner as Guardians are under the Poor Law Acts.

Use of Asylums as Medical Schools.

29. Where the Asylum is provided for reception and relief of the sick or insane it may be used for purposes of Medical instruction, and for the train-

[1] The provisions upon this point are to be found in the 4 & 5 Wm. IV. c. 76, ss. 95 and 96. They are as follows:—"95. And be it further enacted, that in case any Overseer, Assistant Overseer, Master of a Workhouse, or other Officer of any Parish or Union, shall wilfully disobey the legal and reasonable orders of such Justices and Guardians in carrying the rules, orders, and regulations of the said Commissioners or Assistant Commissioners, or the provisions of this Act, into execution, every such offender shall, upon conviction before any two Justices, forfeit and pay for every such offence any sum not exceeding five pounds. 96. Provided always, and be it further enacted, that no Overseer shall from henceforth be liable to any prosecution or penalty for not carrying into execution any illegal order of such Justices or Guardians; any law or statute to the contrary notwithstanding."

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ing of Nurses, in such cases and manner and subject to such regulations as the Poor Law Board from time to time by order direct.

Representative of Commissioners in Lunacy.

30. Where the Asylum is provided for reception and relief of the insane the Commissioners in Lunacy may, if they think fit, depute one of their body or appoint from time to time a special Commissioner, and the person so deputed or appointed shall be entitled to attend meetings of the Managers and to take part in their proceedings, but not to vote; and every such Asylum shall be considered as a Workhouse within the meaning of the Lunacy Acts as defined by the Twenty-fifth and Twenty-sixth *Victoria*, Chapter One hundred and eleven.

Expenses of providing Asylum and Salaries.

31. Expenses incurred by the Managers in or about the purchasing, hiring, building, repairing, and fitting up of buildings for the Asylum, and any sum in the nature of rent or other compensation, payable by the Managers to Guardians, in respect of the use for the Asylum of a building previously used as a Workhouse, and expenses incurred by the Managers in or about the providing of fixtures, furniture, conveniences, medicines, medical and surgical appliances, and other necessaries required for keeping the Asylum in proper order for daily use, and the salaries and maintenance of the Officers thereof, shall be defrayed by contributions from the Unions and Parishes forming the District.

Charges for Maintenance, etc.

32. Expenses incurred by the Managers in or about the food, clothing, maintenance, care, treatment, and relief, or for the burials, of inmates of the Asylum shall be separately charged to the

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respective Unions or Parishes from which the inmates of the Asylum are sent.

Audit of Accounts.

33. The Poor Law Board shall appoint some person to be the Auditor of the District, who shall audit the accounts of the Managers and of their Officers; and those accounts shall accordingly be prepared for and submitted to the Auditor at such times and in such manner as the accounts of Guardians of Unions are by the Poor Law Acts required to be prepared and submitted.

Powers of Auditor.

34. The Auditor shall have the like powers of allowing and disallowing accounts, and of making surcharges therein, as Auditors appointed under the Poor Law Acts have for the time being; and sums disallowed, reduced, or surcharged in the accounts submitted to the Auditor shall be recoverable in like manner as under the Poor Law Acts;[1] and there shall be the like appeal to the Court of Queen's Bench or to the Poor Law Board against an allowance, disallowance, or surcharge made by the Auditor, as in case of the audit of Union or Parish Accounts.[2]

Circulation of Abstract of Accounts.

35. Within One Month after each audit the Managers shall deliver, by Post or otherwise, to each Board of Guardians in the District a printed abstract (in a form from time to time prescribed by the Poor Law Board) of the accounts as audited.

[1] See 7 & 8 Vict. c. 101, s. 32; 12 & 13 Vict. c. 103, s. 9. See also *Reg.* v. *Finnis*, 33 L. T. 146; 5 Jur. (N. S.) 971; *Reg.* v. *Brecknock JJ.*, 7 E. & B. 951; 29 L. T. 126; *Reg.* v. *Linford*, 21 J. P. 435; and *Reg.* v. *Denbighshire JJ.*, 33 L. T. 145.

[2] See 7 & 8 Vict. c. 101, ss. 35 and 36; 11 & 12 Vict. c. 91, s. 4.

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Remuneration of Auditor.

36. The remuneration of the Auditor shall from time to time be fixed by the Poor Law Board by order, and, with his expenses, shall be paid as the salaries and expenses of auditors appointed under the Poor Law Acts are for the time being payable.

Removal and new Appointment of Auditor.

37. The Poor Law Board may remove an Auditor as they think fit, and on a vacancy shall appoint a qualified person to fill the vacancy; and the powers of providing temporarily for a vacancy, and of appointing a substitute or a deputy, given by the Poor Law Acts in relation to Auditors thereunder, shall apply in relation to an Auditor under this Act.[1]

[1] By the 11 & 12 Vict. c. 91, s. 10, it is enacted that "the said Commissioners may, at any time, upon sufficient cause being shown to them, authorize any person selected by the Auditor, to act temporarily as his deputy, and shall communicate to the several Unions and places forming his District the name of the person so appointed to act as his deputy, and such person shall thereupon be empowered to act in all respects, and with the same authorities, and subject to the same duties and liabilities, as the Auditor himself is entitled or subject to."

Further, the statute 12 & 13 Vict. c. 103, s. 8, provides that "when any Auditor shall die, resign, or be removed, or become incompetent to act, at any time when the audit of the accounts of the Parishes or Unions within his District shall not be completed, the Poor Law Board may, by order under their seal, appoint temporarily some other person to audit the accounts of the several Parishes or Unions which may then be ready to be audited; and such temporary Auditor shall have the same powers and authorities, and shall be subject to the same obligations and duties as the ordinary Auditor would have possessed or would have been subject to, and shall receive such remuneration as the said Commissioners shall direct for the performance of his services herein."

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Medical Out-door Relief.

38. The Poor Law Board may from time to time, by order, direct the Guardians of a Union or Parish in the Metropolis to provide a Dispensary or Dispensaries for such Union or Parish, and to purchase or hire, or to build, and (in either case) to fit up and furnish a building or buildings for that purpose, of such nature and size, and according to such plan, and in such manner as the Poor Law Board think fit, or to set apart, adapt, fit up and furnish for that purpose such part of the Workhouse of the Union or Parish, according to such plans, and in such manner, as the Poor Law Board think fit, and the Guardians shall act accordingly; and, where the Poor Law Board by order so direct, the Guardians may borrow the amount requisite in that behalf, in like manner and subject to the like conditions as in the case of the building of a Workhouse. Building for Dispensary.

39. There shall be a Committee of Management for the Dispensary or Dispensaries in each Union or Parish, to be called the Dispensary Committee for the Union or Parish (and in this Act the term "the Dispensary Committee" means, in relation to each Union Parish,† the Dispensary Committee for the same for the time being). Dispensary Committee.

† *Sic.*

40. The Dispensary Committee shall be elected by the Guardians of the Union or Parish from among themselves, or from among Ratepayers of the Union or Parish assessed to the Poor Rate on an annual rateable value of not less than Forty Pounds, or partly from one and partly from the other. Election of Committee.

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Number, etc. of Committee.

41. The Poor Law Board shall from time to time prescribe with respect to each Committee the number and tenure of office of the Members, the mode and times of election, and the quorum for their meetings.

Places for seeing Sick Poor, etc.

42. The Guardians of each Union or Parish providing a Dispensary shall also provide, according to the directions of the Poor Law Board, proper places where the Medical Officers of the Union or Parish may see such of the sick poor as attend there for advice, and where meetings of the Dispensary Committee may be held.

Appointment of Dispensers, etc.

43. The Dispensary Committee shall from time to time appoint and shall at all times keep appointed proper persons to be dispensers of medicine at the Dispensaries for the Union or Parish, and may from time to time appoint such other officers and such servants for the purposes of those Dispensaries as they think fit.

The duties, qualifications, number, and salaries of the dispensers, officers, and servants shall be such as the Poor Law Board may from time to time approve or by order direct.

Provision and dispensing of Medicines, etc.

44. The Guardians of each Union or Parish providing a Dispensary shall from time to time, on the requisition of the Dispensary Committee, provide proper medicines and appliances and requisites for the care and surgical treatment of the sick poor of the Union or Parish relieved out of the Workhouse, and the same shall be dispensed and furnished to such of the poor entitled to relief as require the same, on the prescription or written

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direction of the District Medical Officer, subject to such regulations as the Poor Law Board from time to time by order direct.

Appointment of District Medical Officers.

45. The District Medical Officers for a Union or Parish shall be from time to time appointed by the Dispensary Committee, subject to the rules and orders of the Poor Law Board respecting appointment and removal of Officers under the Poor Law Acts; but the District Medical Officers in office at the time of the Dispensary Committee entering on their duties shall continue in office as if this Act had not been passed, subject nevertheless to such modifications of arrangements respecting their duties and remuneration, made with them before the passing of this Act, as the Poor Law Board think fit.

Modification of Districts, Salaries, and Contracts with District Medical Officers.

46. For giving effect to the provisions of this Act relating to medical relief out of the Workhouse, the Poor Law Board may from time to time vary as they think fit Medical Districts, salaries, and contracts with District Medical Officers, existing at the passing of this Act or at any time thereafter.

District and Separate Schools.

Certain Provisions as to Charge of Expenses of Buildings, etc. as in 7 & 8 Vict. c. 101, s. 47. 13 & 14 Vict. c. 11, repealed.

47. So much of Section Forty-seven of the Poor Law Amendment Act of 1844 and of the Act of the Session of the Thirteenth and Fourteenth Years of Her Majesty's Reign (chapter eleven), "to make better provision for the contributions of Unions and Parishes in School Districts to the common funds of the respective Districts," as provides for payment by Unions as therein mentioned of ex-

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penses incurred by any District Board in the purchase or hire of any land or buildings for a school, or in erecting, repairing, adding to, or fitting up any building, and the salaries of the officers and servants of the establishment, and other common charges of the school, shall, from the twenty-ninth day of *September* next, as far as those provisions relate to a District in the Metropolis, be repealed; but this repeal shall not affect the mode of payment of any such expenses or salaries incurred or accrued due up to that day inclusive, or the payment of any mortgage or other debt incurred by any District Board in respect thereof, or the validity or effect of any mortgage or security given by any District Board for any such debt; and all such expenses and salaries, and every such debt, shall be paid and remain charged as if this Act had not been passed.

Charges for Buildings and Salaries of Officers of District Schools.

48. Expenses incurred by a District Board constituted under the Poor Law Amendment Act of 1844 for the maintenance of a District School for a District in the Metropolis[1] in the purchase or hire of land or buildings for the School, and the salaries of officers, and all other common charges of such School, shall, from the said twenty-ninth day of *September* next, be defrayed by contributions from the Unions and Parishes forming the District, as in this Act provided.

Addition of

49. The Poor Law Board may from time to time

[1] Of these School Districts there are at present three, known respectively as "The Central London," "The South Metropolitan," and "The North Surrey." See 7 & 8 Vict. c. 101, s. 40; 11 & 12 Vict. c. 82.

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nominate to be members of such a District Board such persons as they think fit from among Justices of the Peace for any county or place resident in the District of the School, or from among Rate-payers resident in that District, and assessed to the Poor Rate therein on an annual rateable value of not less than forty pounds, or partly from one and partly from the other, but so that the number of members so nominated do not ever exceed one-third of the full number of the elected Members of the Board. nominated Members to District Board.

Workhouses for Classes of Poor.[1]

50. Where, in the opinion of the Poor Law Board, the Workhouse of a Union or Parish in the Metropolis is adapted only for the reception of poor persons of a particular class or particular classes, but is capable of accommodating poor persons of that class or those classes from any other Union or Parish within the Metropolis, the Poor Law Board may by order direct the Guardians of the Union or Parish to which the Workhouse belongs to receive, lodge, and maintain therein poor persons of that class or those classes, or any of them, and the Guardians shall receive, lodge, and maintain such poor persons accordingly on terms to be agreed on, with the approval of the Poor Law Board, by the respective Boards of Guardians of the Unions or Parishes concerned, or, in default of such agreement, to be prescribed by the Poor Law Board by order; and in every such case the following provisions shall have effect: Reception in Workhouses of Poor belonging to other Unions or Parishes.

[1] The provisions under this heading were not in the measure as originally framed. They were introduced when the Bill was in Committee of the House of Commons.

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(1.) Every poor person so received into the Workhouse shall, while therein, be treated in all respects in like manner, and be subject to the same or the like regulations and liabilities, as the other poor persons therein, and shall be chargeable in the first instance to the Union or to the Parish in the Workhouse whereof he is received:

(2.) The abiding of any such poor person in such Workhouse shall in all other respects be attended with the same legal consequences as if the Workhouse were situate within the Union or Parish from which he is sent:

(3.) Every Guardian of the Union or Parish from which such poor person is sent may at all reasonable times enter the Workhouse and inspect any part thereof.

Lands.

Provisions of 5 & 6 Wm. IV. c. 69, herein named, to apply.

51. The provisions of the Act of the Session of the Fifth and Sixth Years of the Reign of King *William* the Fourth (Chapter Sixty-nine) "to facilitate the conveyance of Workhouses and other property of Parishes, and of incorporations or unions of Parishes, in *England* and *Wales*," relative to the acquisition of sites or buildings for Workhouses, and of all Acts extending or amending the same, shall apply to lands and buildings required to be purchased, hired, or otherwise acquired for any of the purposes of this Act, and shall have effect as if Managers under this Act were Guar-

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dians, and as if an Asylum or Dispensary were a Workhouse.

Certain parts of 8 & 9 Vict. c. 18 and 23 & 24 Vict. c. 106 incorporated.

52. The Lands Clauses Consolidation Act, 1845, and the Lands Clauses Consolidation Acts Amendment Act, 1860 (in this Act referred to as the Lands Clauses Acts) are hereby incorporated with this Act, and for the purposes of this Act the term the promoters of the undertaking used in those Acts shall mean Managers or Guardians desirous of purchasing lands for purposes of this Act; and in those Acts and this Act the term lands shall include any estate, term, easement, right, or interest in, over, or affecting lands.

Provisions as to compulsory Purchase of Land.

53. So much of the Lands Clauses Acts as relates to the purchase of lands otherwise than by agreement shall not be put in force except for the purchase of lands for the purpose of enlarging a Workhouse, Hospital, or School existing at the passing of this Act, and then not without a previous order of the Poor Law Board directing such purchase.

Notice of Application as to Lands.

54. Before the Poor Law Board make any such order the Managers or Guardians applying to them for the same shall publish once at least in each of four consecutive weeks in a daily Morning Newspaper published in the Metropolis an advertisement stating the object for which the lands are proposed to be taken, and the quantity of lands required, and the place where a plan of the lands is open for inspection at reasonable hours, and shall four weeks before the application to the Poor Law Board serve notices on the owners or reputed

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owners, lessees or reputed lessees, and occupiers of the lands, stating the particulars thereof, and that the Managers or Guardians are willing to treat for purchase thereof.

Contributions of Unions and Parishes.

Basis of Contributions.

55. Sums to be contributed under this Act by Unions and Parishes shall be assessed on and contributed by them respectively in proportion to the annual rateable value of the property therein comprised, to be determined according to the valuation lists,[1] or, where there are none, according to the latest Poor Rate for the time being for the Union or Parish, or on such other basis as the Poor Law Board from time to time direct.

Calls for Contributions by Managers and District Boards.

56. The Managers of an Asylum under this Act, and the District Board constituted under the Poor Law Amendment Act of 1844 for the maintenance of a District School, shall from time to time call on the Guardians of the Unions and Parishes forming the District for such contributions as the Managers or District Board consider requisite for the purposes of the Asylum or School.

Notice of Call for Contribution.

57. Notice in writing of the amount of every such contribution, purporting to be signed by the clerk or other officer of the Managers or District Board (in a form from time to time prescribed by the Poor Law Board by order), shall fourteen days at least before such contribution becomes due be delivered to the clerk or acting clerk of the Guardians of each Union and Parish liable to the con-

[1] See 25 & 26 Vict. c. 103, in 'Fry's Union Assessment Committee Acts.'

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tribution, either by post in a letter addressed to him at the office of the Union or Parish or otherwise.

Remedies for Recovery of Contributions.

58. If the contribution is not duly paid the Managers or District Board shall (in addition to any other remedy which any person has for the time being against Guardians) have the like remedy for recovery of the contribution, or of so much thereof as is not paid, from the overseers or other officers authorized to levy Poor Rates in the several Parishes (whether comprised in a Union or not) in the District, as Guardians have for the time being for recovery from overseers of contributions of Parishes;[1] and if the overseers of any Parish in a Union pay any money to the Managers or District Board on account of such contribution they shall be entitled to credit for such payment in the accounts of the Union with their Parish.

Medical In-door Relief.

Determination or Variation of Contracts with Workhouse Medical Officers.

59. In order to facilitate provision for the appointment, where requisite, of resident Workhouse Medical Officers, and for better classification and management of the sick Poor in a separate Hospital or building, or in an Infirmary kept distinct from the rest of the Workhouse, the Poor Law Board may, by order, determine, or from time to time vary as they think fit, any contract with any Medical or other Workhouse Officer existing at the passing of this Act, and direct the Guardians

[1] See 4 & 5 Wm. IV. c. 76, s. 98; 2 & 3 Vict. c. 84, s. 1; 7 & 8 Vict. c. 101, s. 63; 12 & 13 Vict. c. 103, s. 7; and 14 & 15 Vict. c. 105, s. 9.

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to pay to a Medical or other Officer affected thereby such compensation by way of increased salary, or of an annuity, or of a gross sum, or otherwise, as the Poor Law Board think fit.

Houseless Poor.

Repeal of Reimbursement by Metropolitan Board.

60. Sections one and two of the Metropolitan Houseless Poor Act, 1864, shall from and after the 29th day of *September*, one thousand eight hundred and sixty-seven, be repealed, except with respect to any claims under that Act then outstanding, which shall be provided for as if that Act continued wholly in force.[1]

Metropolitan Common Poor Fund.

Establishment of Metropolitan Common Poor Fund.

61. There shall be a Fund, called the Metropolitan Common Poor Fund, raised according to the provisions of this Act by contributions from the several Unions, Parishes, and Places in the Metropolis (in this Act referred to as the Common Poor Fund.)

Appointment of Receiver of Common Fund.

62. There shall be a Receiver of the Common Poor Fund (in this Act referred to as the Receiver), who shall be from time to time appointed by and shall be removeable by the Poor Law Board, and shall receive such salary and give such security (if any) as the Poor Law Board direct.

[1] By the Sections, now repealed, of the 27 & 28 Vict. c. 116, the Guardians of Unions and Parishes in the Metropolis were empowered to keep an account of their expenditure in respect of the relief of destitute wayfarers during certain hours, and to obtain reimbursements of such expenditure, when certified by the Auditor, from the Metropolitan Board of Works. That body was authorized to pay the amount claimed by the Guardians from the fund raised under the provisions of the Metropolis Local Management Act, 1855.

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Receiver to open Account at Bank of England.

63. The Receiver shall open an account with the Governor and Company of the Bank of *England*, intituled The Account of the Receiver of the Metropolitan Common Poor Fund for the time being.

Assessment of Contributions to Common Fund.

64. The Poor Law Board shall from time to time assess on the several Unions and Parishes in the Metropolis the amounts of their respective contributions to the Common Poor Fund, in proportion to the annual rateable value of the property therein comprised, to be determined according to the Valuation Lists, or, where there are none, according to the latest Poor Rate for the time being for the Union or Parish, or on such other basis as the Poor Law Board from time to time direct.

Collection of Common Fund.

65. The Poor Law Board shall from time to time issue to the Guardians of each Union or Parish a precept under the seal of the Board requiring them to pay the amount of their contribution therein specified, in the manner and within the time therein prescribed, and the Guardians shall accordingly raise the amount of their contribution out of the Poor Rates of the Union or Parish, and shall pay the same into the Bank of *England* to the credit of the account of the Receiver; and no such precept shall be liable to be removed into any court of law by Certiorari or otherwise, nor shall any order of the Guardians, or any rate made after the passing of this Act, be liable to question in any such court on the ground of its having been made wholly or partly in furtherance of any such precept: provided always, that the Guardians shall be entitled

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to have credit in part payment of their contribution for the amount which may be repayable to them out of the Common Poor Fund, under the precept of the Poor Law Board, as hereinafter mentioned, in respect of expenditure during the preceding half year.

Collection of Contributions by Local Authority where no Poor Rate.

66. In order to obtain payment of the amount of the contribution to the Common Poor Fund payable in respect of any place where there is no Poor Rate,[1] the Poor Law Board shall from time to time issue to the Masters of the Bench, Treasurer, Governors, or other body or persons having the chief control or authority there, a precept requiring them or him to pay the amount of contribution therein specified, in the manner and within the time therein prescribed, and they or he shall pay the same accordingly.

Levying of Rate by Local Authority.

67. In every such place the Masters of the Bench, Treasurer, Governors, or other body or persons, may levy on the several persons occupying rateable property therein the amount of contribution so paid by them or him by means of a rate in the nature of a Poor Rate, and for that purpose may employ and remunerate Collectors, and shall have the like powers as are for the time being vested in Overseers for the purposes of the making, assessing, levying, and collecting of Poor Rate.

Remedies for Recovery of Contributions.

68. If any contribution to the Common Poor Fund required by the Poor Law Board to be paid by any Guardians, Masters of the Bench, Treasurer,

[1] See Schedule C to the Metropolis Local Management Act, 1855 (18 & 19 Vict. c. 120).

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Governors, or other body or persons, is not duly paid, the Receiver shall (in addition to any other remedy which any person has for the time being against Guardians) have the like remedy for recovery from them or him, in the Receiver's own name, of the contribution, or of so much thereof as is not paid, as Guardians have for the time being for recovery from Overseers of contributions of Parishes;[1] and for that purpose the precept of the Poor Law Board requiring the contribution shall be conclusive evidence of the amount thereof and of the liability thereto of the party sued.

Application of Common Fund.

69. Expenses incurred for the following purposes after the twenty-ninth day of *September* one thousand eight hundred and sixty-seven shall be repaid out of the Common Poor Fund, that is to say,—

(1.) For the maintenance of Lunatics in Asylums, registered Hospitals, and licensed houses, and of insane poor in Asylums under this Act, except such expenses as are chargeable on the County Rate:

(2.) For the maintenance of patients in any Asylum specially provided under this Act for patients suffering from fever or small-pox:

(3.) For all medicine and medical and surgical appliances supplied to the poor in receipt of relief by Guardians under this Act or any of the Poor Law Acts;

(4.) For the salaries of all Officers employed by the Guardians in and about the relief of

[1] See 2 & 3 Vict. c. 84, s. 1; 7 & 8 Vict. c. 101, s. 63; and 12 & 13 Vict. c. 103, s. 7.

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7 & 8 Vict. c. 101.

the poor by the Managers of District Schools under "The Poor Law Amendment Act, 1844," and by the Managers of Asylums under this Act, and also the salaries of the dispensers and other persons employed in Dispensaries under this Act, provided the appointments of the Officers have been sanctioned by the Poor Law Board.

(5.) For compensation to any Medical Officer of a Workhouse affected by the determination or variation by the Poor Law Board of a contract respecting medical relief in the Workhouse, or for compensation to any Officer of a Union or Parish who may be deprived of his office by reason of the operation of this Act:

(6.) For fees for Registration of Births and Deaths:

(7.) For fees and for other expenses of Vaccination:

(8.) For maintenance of pauper children in District, Separate, Certificated, and Licensed Schools:

(9.) For relief of destitute persons certified by the Auditor, and provision of temporary wards or other places of reception approved by the Poor Law Board, under the Metropolitan Houseless Poor Acts of 1864 and 1865.

27 & 28 Vict. c. 116. 28 & 29 Vict. c. 34.

Mode of Repayment out of Common Fund.

70. After each half-yearly audit the Auditors shall, within such time and in such manner as the Poor Law Board from time to time direct, certify to the

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Poor Law Board the amount actually expended by each Union or Parish in respect of expenses which are to be repaid out of the Common Poor Fund; and the Poor Law Board shall, by precept under the seal of the Board, direct the Receiver to repay out of that fund to the Guardians of the Unions and Parishes the several sums so expended, and the amount repaid shall be applied by them in aid of the fund chargeable with the relief of the poor.

Receiver's Salary, etc.

71. The salaries of the Receiver and his assistants, and all expenses incurred by him in the execution of this Act, shall be paid out of the Common Poor Fund.

Drawing on Receiver's Account.

72. The account of the Receiver at the Bank of *England* shall be drawn on in such manner and according to such regulations as the Poor Law Board from time to time by order direct.

Poor Relief under Local Acts.

Constitution of Guardians for Parishes under Local Acts.

73. The relief of the poor of every Union or Parish in the Metropolis governed by a Local Act[1] shall, from and after a day to be stated in an order of the Poor Law Board in relation to each Union or Parish, be, notwithstanding anything in such Local Act, administered by a Board of Guardians elected according to the Poor Law Acts, and in conformity with an order of the Poor Law Board.

Powers of new Board of Guardians.

74. The Guardians so constituted under this Act, notwithstanding anything in any Local Act, shall have the same powers and authorities, and shall be subject to the same orders, regulations,

[1] For the names of the Parishes affected by this provision, see the table in the "Introduction."

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and restrictions, as Guardians elected under the Poor Law Acts.

Transfer of Property to new Guardians.

75. The Workhouses, goods, effects, and real and personal property belonging to a Union or Parish governed by a Local Act, and held or used for purposes of the relief of the poor or of the business of Guardians, shall by virtue of this Act be transferred to and vested in and belong to the Guardians of the Union or Parish when constituted under this Act, and shall be held and used for purposes of such relief and business, and upon such other trusts and for such other purposes as would have been applicable to the same if this Act had not passed; and those Guardians shall pay and discharge the debts and liabilities lawfully incurred in and about such relief, or otherwise due from the previous Guardians of the Union or Parish, as the same ought to have been paid and discharged by the previous Guardians if this Act had not been passed;[1] provided that the Poor Law Board may, if they think fit, by order, extend the time of payment of any such debt for a period not exceeding six months from the date of the order.

Continuance of existing Officers.

76. Officers and persons appointed or acting under any such Local Act for any purpose of the relief of the poor, or otherwise in the service of the Guardians, and Superintendent Registrars of Births, Deaths, and Marriages, and Registrars of Births and Deaths, and Registrars of Marriages, shall be entitled to continue in office after the constitution of the new Board of Guardians under this Act to the same extent as if this Act had not been

1 See 22 & 23 Vict. c. 49.

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passed; and their service before the constitution of that Board shall be reckoned in the computation of any superannuation allowance to which they may become entitled:[1] provided that in case any Officer of a Union or Parish shall be deprived of his office by reason of the operation of this Act, the Poor Law Board may award to him such compensation for the loss of his office and its emoluments, either by way of gross sum or by way of annuity, as to them shall seem reasonable.

Saving for rating Powers of existing Bodies.

77. Nothing in this Act shall deprive any body constituted under a Local Act of any power thereby vested in them of making and levying Poor Rates; and in relation to Guardians constituted under this Act every such body shall be deemed Overseers within the Poor Law Acts as far as regards liability to payment of contributions required by Guardians for purposes of the relief of the poor in the Union or Parish.

Part of Sects. 64 and 65 of 7 & 8 Vict. c. 101 repealed.

78. So much of Section Sixty-four of the Poor Law Amendment Act of 1844 as prevents the Union of Parishes governed by Local Acts, without consent of the Guardians, and Section Sixty-five of that Act, are hereby repealed as far as they relate to the Metropolis.

Boards of Guardians.

Power to Poor Law Board to nominate additional Guardians.

79. The Poor Law Board may from time to time nominate to be Members of a Board of Guardians of a Union or Parish in the Metropolis (whether elected under the Poor Law Acts or constituted under this Act) such persons as they think fit from

[1] See 27 & 28 Vict. c. 42; 29 & 30 Vict. c. 113.

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among Justices of the Peace for any County or place resident in the Union or Parish, or from among Ratepayers resident therein and assessed to the Poor Rate therein on an annual rateable value of not less than forty pounds, or partly from one and partly from the other, but so that the number of Guardians so nominated do not, together with the *ex-officio* Guardians, ever exceed one-third of the full number of the elected Guardians.

Officers.

Appointment of Officers on failure of Managers, etc.

80. In case at any time any Managers of an Asylum or Dispensary Committee under this Act, or any Board of Guardians of a Union or Parish in the Metropolis, fail, for fourteen days after receipt of a requisition of the Poor Law Board in this behalf, to appoint (either originally or on a vacancy) any officer whom they are by law required or authorized to appoint, then at any time after the expiration of that period of fourteen days the Poor Law Board may, if they think fit, by order, appoint a fit person to be such officer; and the person so appointed shall have and perform all the same powers, rights, privileges, and duties as if the appointment had been duly made by the Managers, Committee, or Guardians, as the case may be.

Borrowing.

Extension of Borrowing Powers.

81. Where the Guardians of a Union or Parish in the Metropolis require to borrow money for the purposes and under the authority of the Poor Law Acts, the principal sum borrowed may be any sum not exceeding one-half of the aggregate amount of

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the rates raised for the relief of the Poor in that Union or Parish within three years ending on the twenty-fifth day of *March* next preceding the borrowing of the money, anything in the said Acts to the contrary notwithstanding.

Provision for Orders of Removal and of Maintenance.

82. Nothing in this Act contained shall prevent any Board of Guardians or Churchwardens and Overseers from obtaining any order of removal or any order of maintenance in respect of any pauper by reason of the costs and expenses of such pauper being repaid out of the common fund.

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COMMENTARY.

Preliminary, Sections 1–4.

Section 1 supplies the title of the Act. The next three sections are principally concerned with the interpretation of certain terms employed in the Act, and the limitation of its provisions to the Metropolis, as defined by the Metropolis Local Management Act, 1855.

District Asylums, Sections 5–37.

With section 5, commences the subject of "District Asylums." Asylums may be provided for the reception and relief of the sick, insane, or infirm, or other classes of the Metropolitan poor; and for the provision of these asylums, the Metropolitan Unions and parishes may from time to time, by the order of the Poor Law Board, be combined into districts, subject to such subsequent alterations as the Board may think fit. Each district is to provide an asylum or asylums, and, for the management of each asylum, a board of managers is incorporated. This Board is to consist partly of elective, partly of nominated managers. The elective managers are to be chosen by the Guardians of the Unions and parishes comprising the district, from among themselves, or from among rate-

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payers qualified to be Guardians. The nominated managers are to be nominated by the Poor Law Board, from among resident Justices of the Peace, and resident ratepayers, assessed to the poor-rate on a rateable value of not less than £40. The total number of members constituting each board of managers, the proportion of elective and nominated members (subject to the condition that the number of nominees is in no case to exceed one-third of the prescribed number of the managers elected by the Guardians) the qualifications, the tenure of office, the manner and times of the election and the quorum for the meetings of the managers, are to be prescribed by the orders of the Poor Law Board.

The acts of the managers as a body, are not to be invalidated by vacancies or by defects or irregularities in the election, nomination, or qualification of individual members; but the managers and their officers are prohibited from providing for their own profit, or contracting for the supply of anything for the support or maintenance of the poor.

The Poor Law Board may, by their order, require the managers to provide premises, duly fitted up, for the asylum. For this purpose, the managers are invested with powers for the purchase or hiring of lands or buildings; and for such purchase, and for the erection, fitting-up, and furnishing the asylum, the managers may contract loans chargeable, togther with the interest, upon the poor-rates of the Unions and parishes of the district. It is provided, however, that the amount borrowed by the managers shall not exceed one-third of the aggregate annual expenditure on poor relief in the district, for the three years next preceding the date at which the loan is

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contracted; also, that the charge upon the Unions and parishes in the district shall be made in the proportion of their several contributions to the maintenance of the asylum, and that the amount borrowed, and the interest thereon, shall be paid off in not more than twenty equal annual instalments.

Under the order of the Poor Law Board, and subject to such alterations as they may require, any workhouse may be used as the asylum of the district; the Guardians to whom such workhouse belongs, receiving an annual rent or other compensation for its use. If, however, after money has been expended by the managers upon the improvement of any such premises, it be considered desirable that they should be relinquished, the Board may, after making an adjustment of the expenditure between the managers and the owners of the premises, direct an equitable reimbursement of the managers' outlay, by the owners; such reimbursement to be made at once, or by instalments.

The managers are to exercise the powers of Guardians in the relief, maintenance, and management of the inmates of the asylum, who are to be admitted in such manner as the Poor Law Board may from time to time direct. The managers are further to provide medicines, medical and surgical appliances, and other requisites for the care and treatment of the asylum inmates; while the Poor Law Board are empowered to exercise the control authorized by the 7 & 8 Vict. c. 101, over the government of the asylum and its inmates, and over their religious assistance and instruction.

For the chargeability of relief, etc., the asylum is to be regarded as in the Union or parish from which each

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inmate is admitted, but births and deaths in the asylum are to be registered by the registrar of the district in which the asylum is situated.

In the appointment, control, payment, and superannuation of paid officers, the managers are to exercise the powers of Guardians; but the duties, numbers, salaries, and securities of the paid officers are to be subject to the control of the Poor Law Board, who also are to control the general action of the managers.

Asylums for the sick may, subject to the regulations of the Poor Law Board, be used for the purposes of medical instruction and the training of nurses, while, in cases in which an asylum has been provided for the treatment of the insane, the Commissioners in Lunacy may depute one of their body or a special Commissioner to attend meetings of the managers, and to take part in the proceedings, but without the power of voting.

The expenses incurred in providing and furnishing asylums, in procuring medicines, medical and surgical appliances, and other necessaries, and in the salaries and maintenance of the asylum officers, are in each case to be defrayed by contributions from the Unions and parishes of the district; but the cost of the food, clothing, maintenance, care, treatment, and relief, or of the burial of inmates, are to be separately chargeable to the respective Unions or parishes from which such inmates are admitted. The accounts of the managers are to be prepared and submitted for audit in the same manner as is now required in the case of the accounts of the Guardians. The auditor, with a fixed remuneration, is to be appointed by the Poor Law Board, who, may remove him when they think fit, and may provide, temporarily,

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for vacancies, and for the appointment of substitutes or deputies. The auditor will be invested with the powers already conferred upon Poor Law auditors as regards allowances, disallowances, and surcharges; and against his decision there will be, as in the case of Union or parish accounts, an appeal from those aggrieved, either to the Court of Queen's Bench, or to the Poor Law Board. Within one month after the audit, a printed abstract of the managers' accounts is to be delivered to each Board of Guardians in the district.

Medical Out-door Relief, Sections 38–46.

The Poor Law Board are empowered to require the Guardians of a Metropolitan Union or parish to provide a dispensary or dispensaries, either by the purchase, hire, or erection of special buildings, or by the separation and adaptation of a portion of the existing workhouse premises.

For the management of the dispensary, a committee, to be known as the dispensary committee, is to be appointed. This committee is to consist of members elected by the Guardians from among themselves, and from among the ratepayers of the Union or parish assessed to the poor-rate on a rateable value of not less than £40. The number, qualifications, tenure of office, election, etc. of the committee, are to be prescribed by the Poor Law Board.

Besides the dispensary, the Guardians are to provide proper places for the attendance of the sick poor seeking advice from the medical officers of the Union or parish, and for the meetings of the dispensary committee.

Dispensers of medicine and the other necessary officers

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of the dispensary, are to be appointed by the committee, subject to the regulations of the Poor Law Board. Proper medicines, medical and surgical appliances, and other requisites for the medical relief of the out-door poor, are to be provided by the Guardians, on the requisition of the dispensary committee, and are to be dispensed on the prescription or written directions of the district medical officer.

The district medical officers are from time to time to be appointed by the dispensary committee, subject to the regulations of the Poor Law Board; but, with the necessary modifications of their duties and remuneration, the district medical officers in office at the time of the appointment of the committee are to continue to act; and the Poor Law Board are empowered to vary the medical districts and contracts as they may think fit.

District and Separate Schools, Sections 47–49.

The first of the clauses relating to "district and separate schools" repeals, with a saving as to existing expenses and liabilities, section 47 of the 7 & 8 Vict. c. 101, and the 13 & 14 Vict. c. 11, so far as those enactments in their application to the Metropolis provide for the payment of expenses incurred by district Boards in providing school buildings, and in the salaries of the officers of the establishments, and other common charges. Expenses incurred by district Boards in providing buildings for district schools in the Metropolis, and in respect of the salaries of their officers, and of other common charges are hereafter to be defrayed in every case by contributions from the Unions and parishes forming the district. The members of the district Boards are to receive

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additions to their numbers in the persons of nominees of the Poor Law Board, selected from among the resident justices and from among resident ratepayers assessed to the poor-rate on an annual rateable value of not less than £40. These nominees, as in the case of the Boards of management of the district asylums, are never to exceed one-third of the full number of the elected members.

Workhouses for Classes of Poor, Section 50.

By the next clause it is proposed, that in the case of workhouses adapted only for the reception of particular classes of paupers, but capable of affording accommodation to such paupers belonging to other Unions or parishes than that for which the workhouse has, in each instance, been originally provided, the Guardians shall be required to receive and maintain the additional inmates upon certain specified conditions.

Contributions of Unions and Parishes, Sections 55–58.

The contributions of the Metropolitan Unions and parishes for the purposes of the Act are to be made in proportion to their annual rateable value, as shown by the valuation lists, or, in the absence of such lists, by the latest poor-rates, or "on such other basis as the Poor Law Board from time to time direct." The Boards of management of the district asylums or district schools are empowered to issue to the Guardians of the Unions and parishes comprised in their respective districts, precepts for such contributions as they may from time to time consider requisite. The Boards of management are also invested with full powers for enforcing the payment of the amounts required by their precepts, either by the

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Guardians, or by the overseers or other officers authorized to levy poor-rates.

Medical In-door Relief, Section 59.

To protect medical or other workhouses officers whose interests might otherwise be affected by the arrangements necessary for facilitating the appointment of resident workhouse medical officers, and for the better classification and management of the sick poor, the Poor Law Board are authorized to vary existing contracts, and to direct the Guardians to pay to the officers affected by such variations, "such compensation by way of increased salary, or of an annuity, or of a gross sum, or otherwise, as the Poor Law Board think fit."

Houseless Poor.

Section 60 repeals so much of the Metropolitan Houseless Poor Act, 1864, as provides for the future reimbursement out of the rate levied by the Metropolitan Board of Works, of the sums expended by Boards of Guardians in respect of the relief of the casual poor.

Common Poor Fund, Sections 61–72.

By clause 61, a new fund is constituted, to be called "the Metropolitan Common Poor Fund," and to be raised by contributions from the several Unions and parishes in the Metropolis.

A receiver of the Common Poor Fund is to be appointed by the Poor Law Board, with such salary payable (as are also those of his assistants) out of the fund, and with such security as the Board may direct. The receiver is to keep an account with the Bank of England.

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The contributions to the Common Poor Fund are to be assessed by the Poor Law Board upon the several Unions and parishes on the basis of the valuation lists, or, in their absence, the latest poor-rates, or otherwise, as the Board may direct. Precepts are to be issued under the seal of the Board to the Guardians of each Union or parish, and the contributions required by such precepts are to be paid out of the poor-rates to the credit of the receiver's account at the Bank of England. Provisions of a similar nature, but adapted to the altered circumstances of the case, are made for the payment of the contributions required from the local authorities in any place in the Metropolis in which no poor-rate is levied.

The receiver is invested with full powers for the recovery of the contributions assessed by the Board.

The expenses which are to be repaid out of the Common Poor Fund are as follows:—

1. For the maintenance of lunatics in asylums, registered hospitals, and licensed houses, and of insane poor in asylums under this Act, except such expenses as are chargeable on the county rate.
2. For the maintenance of patients in any asylum specially provided under this Act for patients suffering from fever or smallpox.
3. For all medicine and medical and surgical appliances supplied to the poor in receipt of relief by Guardians under this Act or any of the Poor Law Acts.
4. For the salaries of officers, employed by the Guardians in and about the relief of the poor, by the managers of district schools under the

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'Poor Law Amendment Act, 1844,' and by the managers of asylums under this Act, and also the salaries of the dispensers and other persons employed in dispensaries, under this Act, provided the appointments of the officers have been sanctioned by the Poor Law Board.

5. For compensation to any medical officer of a workhouse affected by the determination or variation by the Poor Law Board of a contract respecting medical relief in the workhouse, or for compensation to any Union or Parish officer who may be deprived of his office by the operation of the Act.
6. For fees for registration of births and deaths.
7. For fees and for other expenses of vaccination.
8. For maintenance of pauper children in district, separate, certificated, and licensed schools.
9. For relief of destitute persons certified by the auditor, and provision of temporary wards or other places of reception approved by the Poor Law Board, under the Metropolitan Houseless Poor Acts of 1864 and 1865.

The amounts which after each audit may be certified to the Board by the auditors as having been expended by the Guardians of each Union or parish in respect of the above-mentioned charges, are, under the precept of the Board, to be repaid to the Guardians by the receiver out of the Common Poor Fund, and when repaid, are to be applied by the Guardians in aid of the poor-rate.

Poor Relief under Local Acts, Sections 73–78.

By clause 73, it is provided that from and after a day

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to be stated in an order of the Poor Law Board, the relief of the poor of any Union or parish governed by a Local Act, shall be administered by a Board of Guardians constituted under the general Poor Law Acts, and elected in conformity with the regulations of the Poor Law Board. To these Boards are to be transferred the property and liabilities of their predecessors; and the officers already appointed under the Local Acts for the purposes of the relief of the poor, and also superintendent and district registrars, are to continue in office under the new Boards; their period of service under the Local Act authorities being reckoned towards the service entitling them to superannuation allowance.

It is further provided that in case any officer of a Union or parish shall be deprived of his office by reason of the operation of the Act, the Poor Law Board may award to him such compensation for the loss of his office and its emoluments, either by way of a gross sum, or by way of annuity, as to them shall seem reasonable.

A provision is introduced to save the powers vested in bodies constituted under Local Acts, for the making and levying of poor-rates; but, at the same time it is enacted that, as far as regards liability to payment of contributions required by the new Guardians for the purposes of the relief of the poor, the rating authorities shall be deemed overseers of the poor, within the meaning of the general Poor Law Acts. By clause 78, section 65, and a portion of the preceding section, of the 7 & 8 Vict. c. 101, are repealed as regards the Metropolitan parishes.

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Boards of Guardians and Officers, Sections 79–80.

The next clause of the Bill empowers the Poor Law Board to nominate members of Boards of Guardians with the same qualifications and under the same conditions as those already provided in the case of the Boards of management of the district asylum; while clause 80 authorizes the Board to appoint, either originally or on a vacancy, any officer of a district asylum, Board of managers of a dispensary committee, or a Board of Guardians; provided that for fourteen days after the receipt of a requisition from the central authority, the managers, committee or guardians, have failed to make the required appointment.

Borrowing, Section 81.

The next clause provides that, in cases in which money may be required to be borrowed for the purposes of the Poor Law Acts, the principal of the loan contracted by the Guardians may be any sum not exceeding one-half of the aggregate amount of the rates raised within the three preceding years for the relief of the poor of the Union or parish of which the Guardians are the governing body.

Orders of Maintenance or Removal, Section 82.

The last clause preserves to Boards of Guardians, churchwardens, and overseers, the power of obtaining orders of removal or of maintenance, notwithstanding that the costs and expenses of the paupers affected by such orders may be repaid out of the common fund.

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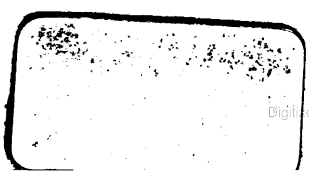
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